

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

SUSAN BODNAR, individually and on
behalf of others similarly situated

Plaintiff,

vs.

MERCK & CO., INC., and SCHERING-
PLOUGH CORPORATION d/b/a
SHERING-PLOUGH
PHARMACEUTICALS,

Defendants.

Civil Action No. 3:08-CV-66-FDW-CH

This matter having come before the Court on application for the Defendants for an extension of time to answer, move or otherwise respond to Plaintiff's Complaint pending a decision on transfer by the Judicial Panel on Multidistrict Litigation ("MDL Panel") to MDL Docket No. 1938, *In re Vytarin/Zetia Marketing, Sales and Products Liab. Litig.*, and the Plaintiff having consented to the extension of time on the terms set forth below, it is hereby

ORDERED that the Defendants shall notify the Court of the decision of the MDL Panel within three (3) business days after the MDL Panel transfers this matter. It is further

ORDERED that the time within which the Defendants may answer, move or otherwise respond to Plaintiff's Complaint in this action is hereby extended to a date to be set at the first scheduling conference after the MDL Panel transfers this matter. It is further

ORDERED that if the Defendants file a responsive pleading in any other similar action pending in this or another federal district court, they shall notify the Plaintiff's counsel before filing such a pleading, and the Plaintiff may then file a motion to amend this Order. Defendants reserve the right to oppose such a motion.

SO ORDERED.

Signed: April 22, 2008

Carl Horn, III

Carl Horn, III
United States Magistrate Judge

